

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GANZ & HAUF, CHTD; et al.,

Plaintiffs,

v.

UNIVERSITY MEDICAL CENTER OF
SOUTHERN NEVADA; et al.,

Defendants.

2:10-cv-0996-LRH-VCF

ORDER

Before the court is plaintiffs David Scott (“Scott”) and Ganz & Hauf, CHTD.’s (“Ganz & Hauf”) (collectively “plaintiffs”) motion for leave to file an amended complaint. Doc. #51.¹

I. Facts and Procedural History

Plaintiffs filed this interpleader action to determine the amount of money certain medical providers are entitled to receive from an underlying settlement agreement. *See* Doc. #1, Exhibit A. After the filing of the initial complaint, plaintiffs discovered additional medical bills and medical providers that were requesting payment for services rendered. Thereafter, plaintiffs filed the present motion for leave to file an amended complaint. Doc. #51.

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¹ Refers to the court’s docket number.

1 **II. Discussion**

2 A party may amend its pleadings after a responsive pleading has been filed by leave of
3 court. FED. R. CIV. P. 15(a)(2). Leave of court to amend should be freely given when justice so
4 requires and when there is no undue delay, bad faith, or dilatory motive on the part of the moving
5 party. *See Wright v. Incline Village General Imp. Dist.*, 597 F.Supp.2d 1191 (D. Nev. 2009); *DCD*
6 *Programs, LTD v. Leighton*, 883 F.2d 183 (9th Cir. 1987).

7 Here, plaintiffs request leave to amend their complaint to add additional defendants that
8 claim entitlement to the interpleaded funds. *See* Doc. #51. A copy of the proposed amended
9 complaint is attached to the reply in accordance with LR 15-1. Doc. #56, Exhibit 1.

10 The court finds that there is no undue delay, bad faith, or dilatory motive on behalf of
11 plaintiffs in requesting leave to amend their complaint. Further, the court finds that the matter is
12 early in litigation and that defendants would not be prejudiced by allowing amendment.
13 Accordingly, plaintiffs shall be granted leave to amend their complaint.

14
15 IT IS THEREFORE ORDERED that plaintiffs' motion for leave to file an amended
16 complaint (Doc. #51) is GRANTED. Plaintiffs shall have ten (10) days after entry of this order to
17 submit the amended complaint attached as Exhibit 1 to the reply to the motion for leave to amend
18 (Doc. #56, Exhibit 1).

19 IT IS SO ORDERED.

20 DATED this 18th day of December, 2012.



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23 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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